

## COURT IN CHICAGO UPHOLDS DRY ACT

Federal Judges Call Prohibition and Enforcement Constitutional.

### CITE FIFTH AMENDMENT

Demobilization of Industry Not Ended and U. S. Still at War, Is Ruling.

CHICAGO, Nov. 17.—The liquor interest suffered another setback to-day when Judge George A. Carpenter handed down a decision in the United States District Court which held that the war time prohibition act and the Volstead enforcement act were constitutional. Judge Carpenter announced that Judge Louis Fitzhugh of Peoria, Ill., had concurred in the decision.

In making his ruling, Judge Carpenter denied the suit for injunction brought by Levy Mayer, representing Hannah & Hegg, wholesale liquor dealers, to restrain United States District Attorney Charles F. Clyne and Julius F. Sulestanka, collector of internal revenue, from enforcing the dry act and the enforcement law.

### Rights Are Defined.

Referring to the national prohibition act, Judge Carpenter in his decision said: "If the State of Kansas, under its police power, had the right to prohibit the manufacture and sale of ardent spirits, so had each one of the other forty-seven States in the Union. If all of the States had the right, granting that the Federal Government under the Constitution while prosecuting the war, was entitled to exercise police power necessary and proper for the efficient carrying on of the war, there is no reason why the central Government could not provide against the manufacture and sale of intoxicating liquors in all of the States and that without compensation to the owners and dealers."

The judge further said: "Congress had the power before the Eighteenth Amendment was passed to make police regulations in the aid of war. This amendment certainly did not destroy that right. If that amendment had been passed in January, 1917, with the one year of grace for the liquor interests to readjust themselves and their businesses, could any one in reason contend that Congress had not the power in April, 1917, to prohibit the manufacture, sale or even use of ardent spirits?"

### DRY RULING DEC. 8 BY SUPREME COURT

This Is Earliest Date in View of Adjournment.

WASHINGTON, Nov. 17.—While arguments on the validity of the war time prohibition act will be heard by the Supreme Court Thursday, a decision is not expected before December 8, when the court reconvenes after a recess, announced to-day to begin next Monday.

Meantime machinery for the enforcement of the act which has been set up by the Internal Revenue Bureau is getting under way and is expected to be in full operation before the end of the week.

John F. Kramer of Ohio assumed his duties to-day as Federal Prohibition Commissioner, and announcement of district and State directors is expected within a day or two.

Should the Supreme Court hold the war time act unconstitutional, millions of gallons of whiskey and wine would be placed on the market immediately in those States which had not voted out liquor before the operation of the Federal act.

Those longing for a "wet" Christmas are not placing all their hopes on a favorable opinion by the Supreme Court. In spite of the somewhat complicated peace treaty situation in the Senate many opponents of prohibition expect peace to be an accomplished fact before the end of the present special session of Congress this month.

The White House has announced that immediately upon the proclamation of peace President Wilson will declare war time prohibition at an end.

## W. C. T. U. OPENS WAR ON TOBACCO IN U. S.

\$1,000,000 Campaign Planned by Women Leaders.

Special Despatch to THE SUN.  
ST. LOUIS, Nov. 17.—Gazing upon the prostrate figure of "Demon Rum" today the national organization of the Woman's Christian Temperance Union surveyed the horizon for "other worlds

to conquer," promptly selected tobacco, and a new battle cry went up from an assembly of 750 at the forenoon session. It is war to the death of tobacco, the leaders declare.

World prohibition is to be desired, fought for—but that battle is to be waged in other lands; in the new republics of Europe and countries remote. W. C. T. U. in America stands for the suppression of tobacco. A great proportion of the \$1,000,000 that is hoped to be raised is to go into the fight against tobacco.

Mrs. Frances E. Beauchamp, president of the Kentucky W. C. T. U., fired the opening gun into the strong fortified position of the tobaccoist and his hordes of faithful followers. In her speech she urged her hearers of the W. C. T. U. to go bravely into the open and to abandon the "guerilla warfare" of the last few years.

### DRY LID HITS STEAMSHIP.

C. S. Seizes Two From Bahamas Islands at Miami, Fla.

MIAMI, Fla., Nov. 17.—Seizure by Federal authorities of two boats plying between Florida ports and the Bahamas Islands, was declared to-day to be the first step in a campaign to end illicit liquor traffic between the nearby British possessions and this country.

The vessels were seized under the technical charge of sailing for a foreign port without the necessary clearance papers.

## LIQUOR MEN MUST DISPROVE CHARGES

Contention Volstead Law Is Invalid Does Not Enter "Nuisance" Cases.

The power of the United States Government to put out of business permanently, as public nuisances, saloons specified by the Federal Attorney as having violated the war time prohibition act is likely to be settled next Friday morning when Judge Learned Hand of the United States District Court will hear the defense to be put in by the Eastern Hotel Company and a number of other liquor dealers. The cases came up yesterday before Judge Hand, who continued the stay of the temporary injunctions that had been secured by Federal Attorney Caffey. Commenting on these cases Judge Hand said:

"The constitutional questions raised present nothing different from the cases of Dryfoos & Blum against Edwards (the Collector of Internal Revenue), and Ruppert against Caffey (the Federal At-

torney), argued at the same time and decided on November 14, 1919. They will follow the disposition which I made of the latter.

"This suit is brought under Title I. of the National prohibition act to obtain an injunction against the tenant and owner of a building in which liquor was sold, on the ground that it has become a nuisance. Upon the question whether it was in fact a nuisance there is a dispute of fact, the persons who are charged with selling the liquor denying the statements of the officials that they sold it.

"As the whole question involved in the administration of the law and the proper procedure which should be adopted will come up next Friday on the motion calendar, I think it best not to decide the motion for a preliminary injunction at the present time. The defendants will be heard at that time upon the questions other than constitutional, which this case presents. Meanwhile, the stay will be continued."

Judge Hand's comment clearly stated that liquor sellers arrested for violations cannot hope to escape the consequences, if violations are proved, by contentions that the wartime prohibition act or the Volstead enforcement act is invalid. Judge Hand has ruled decisively that both acts are valid. Their only hope is to show that they are guilty of illegally selling liquor.

Nothing developed yesterday to justify the rumor spread in liquor circles that the President is on the eve of lifting the ban, and the news from Washington that the President will pigeonhole the peace treaty increased the gloom of the interests concerned, since it has been

recognized that lifting the ban would be contingent, probably, upon ratification of the treaty and acceptance of the treaty with reservations by Mr. Wilson.

**Arkansas Bars War Referendum.**  
LITTLE ROCK, Nov. 17.—The Arkansas Supreme Court in a decision to-day sustained the Secretary of State's refusal to certify petitions for a referendum in this State on ratification of the national prohibition act.

### SECURITIES PLAN STANDS.

Valuations to Be Listed Along Same Lines as Last Year.

After a hearing in the Hotel Astor yesterday afternoon the valuation and adjustment committee of the National Insurance Commissioners' convention announced that it had decided to retain the plan of valuing securities to be listed in reports made by insurance companies to State insurance commissioners which was in vogue last year. The valuation of securities November 1, 1918, will be added to the valuation on the same date this year and the totals divided by two, thus striking a general average for the year.

A modification was adopted, however, which provides that the valuation shall not at any time exceed the market prices of the securities as of December 31 next. All Government war bonds are to be listed at par, provided they were bought directly from the Government.

The committee on laws and legislation will meet in the Astor this morning.

### Arista Society Has Election.

Capt. Edward W. Whitwell, R. A. E., was elected president and Miss Jeanne Kirkpatrick and L. E. Wakeman were re-elected secretary and treasurer, respectively, of the Arista Society at its annual meeting held yesterday. The organization is made up of the staff members and workers of the British War Mission at 165 Broadway.

### Governor's Mother Worse.

Mrs. Catherine Smith, the Governor's mother, who is ill at her home at 9 Mid-dagh street, Brooklyn, was not so well yesterday, according to Dr. John Rob, the family physician. The crisis period passed Sunday, according to Dr. Rob. Gov. Smith was still with his mother last night and will not leave her bedside until a favorable change has been noted.

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Are excessive power costs or high wage, tax, water and insurance rates cutting down your profits?

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Is your business suffering for lack of cheap and adequate transportation facilities?

Are you without room to expand your plant to take care of the increased demand that's coming?

Would a branch factory located at a place of greater strategic value help to solve your marketing problems?

Do you have to fight a hostile local government to prevent harassing restrictions on your business?

Does it require cheaper power and lower factory costs to make your business a greater success?

Do you need greater financial aid for expansion, or the help of technical and traffic experts to work out your particular problems?

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### How Hopewell Solves Them

Steam and electric power, light, heat and air pressure below standard prices.

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Factories already built and splendid sites for new buildings with railroad sidings.

Abundance of purest water for all domestic and industrial purposes at low rates. Best fire protection in the world, with consequent low insurance costs.

Climate never too hot or too cold for out-of-door work. Health conditions such as to make Hopewell a potential health resort.

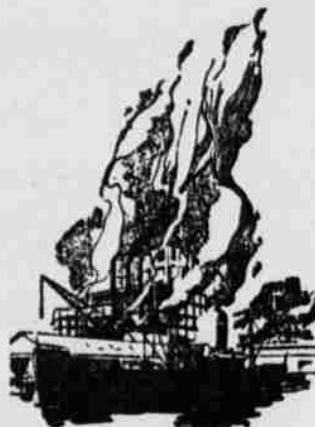
Civic environment that makes Hopewell a good place to live and rear a family.

Adequate financial help to take care of legitimate development or expansion and expert technical advisors and industrial engineers to aid in solving your problems.

In short, the essentials to make your business a greater success are at Hopewell.

### NOTE

As its name implies, the Du Pont Chemical Company is not a real estate concern. We have these factories, factory sites and other buildings—a limited number—which we offer for immediate sale direct to manufacturers, at attractive terms. We are employing the most powerful and the quickest means of disposing of our peace surplus and of acquainting the public with the opportunities Hopewell offers. It will be a matter of first come first served. Quick action is advisable.



## Du Pont Chemical Co.

Incorporated  
WILMINGTON, DELAWARE  
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### A Tidewater Port

This industrial district is about eighty miles west of Norfolk and twenty-three miles south of Richmond at the junction of the Appomattox and James rivers—in reality part of Chesapeake Bay.

It is a railway center with trunk-line connections to all points North, West and South. It is a tidewater port with steamer connections with transatlantic, South American and coastwise ports. Its shipping facilities compare favorably with those of the big port cities.

### Factories and Sites

Hopewell was designed for the production of guncotton on a colossal scale. In less than a year it rose from a quiet little town to an industrial city of over 40,000 population.

Hopewell now presents opportunities to manufacturers unique in history—factory buildings easily adaptable to many kinds of manufacturing—1200 acres available for factory sites with railway sidings already built.

### Labor and Housing

Labor, both skilled and unskilled, male and female, can be recruited from the surrounding territory to supply all needs. Within the space of a few weeks, the Du Pont Company recruited 30,000 workers. Low living costs have kept and should continue to keep wages at a fair level. Strikes are unknown.

Hopewell has cottages, bungalows, apartments and dormitories sufficient to accommodate 12,000 workers. In addition, it has clubs, hotels, churches, schools, commissary operating on a low cost-plus basis, stores, Y. M. C. A., Y. W. C. A., and all the public utilities and civic improvements that constitute a modern city.

### Power and Water

Hopewell has three gigantic and modern power plants; a total capacity of 60,000 h. p., ready to supply manufacturers with steam, electricity, heat, light and air pressure in any quantity at a surprisingly low cost.

Water of hygienic purity is drawn from filtration plants with a daily capacity of 50,000,000 gallons—more than enough to supply a city of 500,000.

### Raw Material and Fuel

The Pocahontas and New River coal fields, which produce the best steam coal in the world, lie within a short hauling distance and assure a constant supply of low priced fuel.

Hopewell is in the center of a region rich in natural resources. Within a radius of fifty miles are produced annually \$55,000,000 feet of timber available for lumber or for pulp and paper making; 25,000,000 pounds of tobacco, 3,000,000 bushels of corn, 2,000,000 bushels of peanuts and other crops valued at over \$5,000,000. Each of these products offers opportunities to manufacturers.

### A Good Place to Live

Hopewell's climatic and general health conditions are unsurpassed. It is a city without a "housing problem"; a city where profiteering is unknown, a city where, compared with some cities, the worker's fifty cents buys a dollar's worth of goods; a city where living ceases to be a losing struggle. In brief, Hopewell is a city where the average man would like to live and rear his children.

### Tell Us Your Problems

Our experts—Technical, Industrial, Traffic—will gladly study your specific requirements, investigate your problems of raw materials, manufacturing processes, transportation and give you an unbiased report as to the adaptability of Hopewell (plant sites, present available equipment, raw materials, etc.) to your special needs. This service is free. It may lead to the solution of your problems. Write or wire Wilmington, or Petersburg Chamber of Commerce, Petersburg, Va.



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